Attorney Docket: 622/40901⊘0

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: ROMAN SCHERTLER

Serial No.: 08/962,776   Group Art Unit: 3206

Filed: NOVEMBER 3, 1997   Examiner: JOSEPH M. GORSKI

Title: A VACUUM PROCESS APPARATUS

RESPONSE AND REQUEST FOR COMPLETE OFFICE ACTION

Box OA
Assistant Commissioner for Patents
Washington, D.C.   20231

Sir:

The following is responsive to the Office Action dated March 29, 1999.

The rejection of claims 1-34 as being anticipated by DE'544 or, in the alternative, obvious thereover under 35 U.S.C. § 103 is traversed.   Reconsideration is requested, and applicant further requests a statement of the reasons why DE'544 "appears to disclose the basic inventions as claimed by Applicant" or the factual basis to support the contention that "any" differences (which differences are totally undefined in the Office Action) would have been obvious to one of ordinary skill in the art.

Applicant submits herewith, as requested, a complete copy of DE'544.   To the extent that the Examiner believes that a second office action is appropriate, such second action is requested to be made non-final, in light of the fact that the
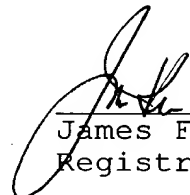
Office Action acknowledges that a complete and through examination of the application has not been yet given.

The Office Action does not set for a *prima facia* case of either anticipation or obviousness. Early and favorable action upon the claims in this application are earnestly solicited.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #622/40901CO).

Respectfully submitted,

September 27, 1999

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